

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED
<b>AUG 22 2005</b>
JOHN F. CORCORAN, CLERK BY: <span style="font-size: 1.5em; vertical-align: middle;">29</span> DEPUTY CLERK

**STANLEY LEMECH PETTY, JR.,** )  
**Petitioner,** )  
 )  
**v.** )  
 )  
**B. A. BLEDSOE, WARDEN, and the** )  
**UNITED STATES PAROLE** )  
**COMMISSION, et al.,** )  
**Respondents.** )

**Civil Action No. 7:05CV00206**

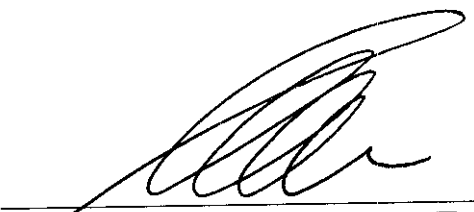
**FINAL ORDER ADOPTING REPORT  
AND RECOMMENDATION**

**By: Samuel G. Wilson**  
**United States District Judge**

Stanley Lemech Petty, Jr., brings this 28 U.S.C. § 2241 action, claiming that the United States Parole Commission has violated his constitutional rights with regard to his sentence. The respondents have filed a motion to dismiss, and the petitioner has filed a motion to voluntarily dismiss. The court referred the matter to the United States Magistrate Judge, who entered a Report and Recommendation pursuant to 28 U.S.C. § 636(b), recommending that the court dismiss Petty's suit. The ten days allotted under § 636(b) for the parties to object to the findings and recommendations in the Magistrate Judge's Report have not expired; however, because Petty has moved to voluntarily dismiss, the court treats the Report and Recommendation as a motion for voluntary dismissal, which the court grants.

Thus, it is hereby **ORDERED** and **ADJUDGED** that Petty's motion for voluntary dismissal is **GRANTED**. This matter is stricken from the active docket of the court. The Clerk of the Court is directed to send certified copies of this Order to the plaintiff and to the counsel for defendants.

ENTER: This 22<sup>nd</sup> day of August, 2005.



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UNITED STATES DISTRICT JUDGE